

EXHIBIT A

STATE COURT  
FILE

## IN THE CIRCUIT COURT OF GREENE COUNTY, MISSOURI

SEAL SMART, LLC,	)	
	)	
Plaintiff,	)	
vs.	)	Case No. _____
	)	
ECOWASH SYSTEMS, LLC,	)	
	)	
Defendant.	)	

**SUIT FOR BREACH OF CONTRACT**

COMES NOW Plaintiff, Seal Smart, LLC, by and through its attorneys of record, and for its suit against EcoWash Systems, LLC, states to the Court as follows:

1. Seal Smart, LLC (hereinafter "Seal Smart") is a Missouri limited liability company with its principal place of business in Springfield, Greene County, Missouri, and is authorized to sue and be sued in the Courts of this state.
2. EcoWash Systems, LLC (hereinafter "EcoWash") is an Alabama limited liability company with its principal place of business in Pelham, Alabama.
3. This Court has jurisdiction and venue over this matter because the contract between the parties was entered into and executed in Springfield, Greene County, Missouri.
4. On or about November 19, 2021, EcoWash proposed to build five (5) custom trailers with power wash equipment. A copy of the quote is attached hereto as Exhibit "A" and made a part hereof by this reference.
5. EcoWash made the presentation in Monett, Missouri, to Seal Smart. Thereafter, EcoWash forwarded an estimate to Seal Smart in Monett, Missouri, dated December 29, 2021, for the manufacture of five (5) custom-built trailers. The estimate is attached hereto as Exhibit "B" and made a part hereof by this reference.

6. Seal Smart accepted the Estimate and forwarded Eighty Thousand Dollars (\$80,000.00) to EcoWash as a deposit, fulfilling its obligations to commence the contract. The contract was formed and created in the state of Missouri.

7. EcoWash has had 12 months to work on the manufacture of the five (5) trailer units and has produced none.

8. EcoWash has had reasonable time to produce under the Estimate but has failed and refused to produce any equipment.

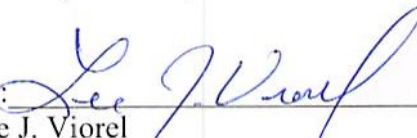
9. On or about October 27, 2022, Seal Smart made a demand for performance, though demanded performance has not been completed.

10. Due to the failure of performance, Seal Smart has been damaged in the sum that is at least One Hundred Thousand Dollars (\$100,000.00).

11. EcoWash is in breach of the contract produced.

WHEREFORE, Seal Smart prays that the Court find that EcoWash is in breach of its contract to produce trailer units and grants Seal Smart a Judgment that is fair and reasonable, and for such other and further relief as the Court deems just in the premises.


LOWTHER JOHNSON  
Attorneys at Law, LLC

By:   
Lee J. Viorel  
Missouri Bar Number 36886  
901 St. Louis, 20<sup>th</sup> Floor  
Springfield, MO 65806  
Telephone: 417-866-7777  
Facsimile: 417-866-1752  
[lviorel@lowtherjohnson.com](mailto:lviorel@lowtherjohnson.com)

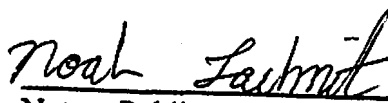
*Attorney for Plaintiff*

STATE OF MISSOURI     )  
                                      ) ss.  
COUNTY OF GREENE     )

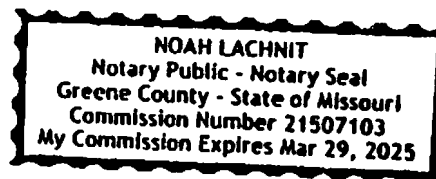
William R. Vermillion, being of lawful age, and being first duly sworn upon his oath, states that he is the President of Seal Smart, LLC the Petitioner above named, and that the facts and matters as stated above are true according to his best information, knowledge, and belief.

  
\_\_\_\_\_  
William R. Vermillion, President  
Seal Smart, LLC

Subscribed and sworn to before me this 29<sup>th</sup> day of November 2022.

  
\_\_\_\_\_  
Notary Public

My commission expires: March 29, 2025



Seal Smart Quote  
11/19/2021



<b>Item</b>	<b>QTY</b>	<b>Price</b>	<b>Total</b>
<b>(New Trailer Scrutch Built to Spec)</b>			
Basic Metal Material	1	\$5,940.00	\$5,940.00
Dual Heavy Duty Axel & Hub Kits	1	\$1,020.00	\$1,020.00
Wheels & Tires	4	\$180.00	\$720.00
Electrical Wiring Kit	1	\$300.00	\$300.00
Trailer Emergency Breaking Kit	1	\$694.80	\$694.80
Misc Hardware Supplies	1	\$480.00	\$480.00
Connectors, Fittings, Hose & Misc Plumbing	1	\$1,740.00	\$1,740.00
Chemical & Water Tanks Per Current Spec	1	\$2,975.00	\$2,975.00
Honda Gxl 800 Hot Water 8 gpm, 3500 psi, 12v Heater Mini Skid	1	\$7,500.00	\$7,500.00
Honda GX200 Chemical Application Softwash System Mini Skid	1	\$1,850.00	\$1,850.00
Hose Reels	6	\$450.00	\$2,700.00
High Pressure Hose	400	\$1.50	\$600.00
Low Pressure Hose	600	\$1.00	\$600.00
Sealed 12v Batteries	2	\$179.00	\$358.00
12v Transfer & Spray Pumps 1.5 to 3 gpm	3	\$125.00	\$375.00
Dosatron Blending System (Per quote Provided)	1	\$1,900.00	\$1,900.00
<b>Total Materials</b>			<b>\$29,752.80</b>

Estimated Labor	60	\$75.00	\$4,500.00
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<b>Total New Build Price</b>			<b>\$34,252.80</b>
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<b>(Estimated Trailer Refurbishing)</b>			
Total Labor (Estimated)	25	\$75.00	\$1,875.00
<b>Plus Materials as Needed &amp; Priced Above</b>			



**EcoWash Systems LLC**

005 Botcher Dr  
 Peabody, AL 36124 US  
 +1 6015181703  
 chas@ecowashco.com

**Estimate****ADDRESS**

Daniel Coday  
 Seal Smart  
 07 13th St.  
 Monett, MO 65708

ESTIMATE  
 DATE

1773  
 12/28/2021

SERVICE	DESCRIPTION	QTY	RATE	AMOUNT
Custom Trailer build	Basic Metal material (1) Dual Heavy duty axel & hub kits (1) Wheels & Tires (4) Electrical Wiring kit (1) Trailer Emergency Breaking Kit (1) Misc Hardware Supplies (1) Connectors, Fittings, Hose & Misc plumbing Chemical & Water tanks per current spec Honda GX1800 Hot Water 8GPM, 3500 psi, 12V Heater mini Skid(1) Honda GX200 Chemical Application Softwash Mini Skid (1) Hose Reels (6) High Pressure Hose (400) Low Pressure Hose (800) Sealed 12V Batteries (2) 12v Transfer & Spray Pumps 1.5 to 3 gpm (3) Dosaatron Blending System (1)	5	29,116.00	145,576.00T
Sales	15% discount price based on purchase of 5 units	1	0.00	0.00T
Subtotal				145,576.00
TAX				13,101.75
TOTAL				<b>\$158,676.75</b>

Accepted By

Accepted Date






# IN THE 31ST JUDICIAL CIRCUIT, GREENE COUNTY, MISSOURI

Judge or Division: JASON R BROWN	Case Number: 2231-CC01236
Plaintiff/Petitioner: SEAL SMART, LLC	Plaintiff's/Petitioner's Attorney/Address: LEE JOHN VIOREL III 901 ST LOUIS STREET 20TH FLR SPRINGFIELD, MO 65806
vs.	
Defendant/Respondent: ECOWASH SYSTEMS, LLC	Court Address: JUDICIAL COURTS FACILITY 1010 N BOONVILLE AVE SPRINGFIELD, MO 65802
Nature of Suit: CC Breach of Contract	

(Date File Stamp)

## Summons for Personal Service Outside the State of Missouri (Except Attachment Action)

<b>The State of Missouri to:</b> ECOWASH SYSTEMS LLC <b>Alias:</b> C/O RICHARD RUSHING JR 905 BELCHER DRIVE PELHAM, AL 35124  <b>COURT SEAL OF</b>  <b>GREENE COUNTY</b>	You are summoned to appear before this court and to file your pleading to the petition, copy of which is attached, and to serve a copy of your pleading upon the attorney for the plaintiff/petitioner at the above address all within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to file your pleading, judgment by default will be taken against you for the relief demanded in this action.  <div style="display: flex; justify-content: space-between;"> <div>           12/07/2022            Date            Further Information:         </div> <div>           /s/ Thomas R Barr by dm            Clerk         </div> </div>
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## Officer's or Server's Affidavit of Service

I certify that:

- I am authorized to serve process in civil actions within the state or territory where the above summons was served.
- My official title is \_\_\_\_\_ of \_\_\_\_\_ County, \_\_\_\_\_ (state).
- I have served the above Summons by: (check one)
  - ☐ delivering a copy of the summons and petition to the defendant/respondent.
  - ☐ leaving a copy of the summons and petition at the dwelling house or usual place of abode of the defendant/respondent with \_\_\_\_\_, a person at least 18 years of age residing therein.
  - ☐ (for service on a corporation) delivering a copy of the summons and petition to \_\_\_\_\_ (name) \_\_\_\_\_ (title).
  - ☐ other: \_\_\_\_\_.

Served at \_\_\_\_\_ (address)  
in \_\_\_\_\_ County, \_\_\_\_\_ (state), on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

**Subscribed and sworn to** before me this \_\_\_\_\_ (day) \_\_\_\_\_ (month) \_\_\_\_\_ (year).

I am: (check one)

- ☐ the clerk of the court of which affiant is an officer.
- ☐ the judge of the court of which affiant is an officer.
- ☐ authorized to administer oaths in the state in which the affiant served the above summons. (use for out-of-state officer)
- ☐ authorized to administer oaths. (use for court-appointed server)

(Seal)

Signature and Title

### Service Fees

Summons \$ \_\_\_\_\_  
 Non Est \$ \_\_\_\_\_  
 Mileage \$ \_\_\_\_\_ (\_\_\_\_\_ miles @ \$ \_\_\_\_\_ per mile)  
 Total \$ \_\_\_\_\_

See the following page for directions to officer making return on service of summons.

## Directions to Officer Making Return on Service of Summons

A copy of the summons and petition must be served on each defendant/respondent. If any defendant/respondent refuses to receive the copy of the summons and petition when offered, the return shall be prepared accordingly so as to show the offer of the officer to deliver the summons and petition and the defendant's/respondent's refusal to receive the same.

Service shall be made: (1) On Individual. On an individual, including an infant or incompetent person not having a legally appointed guardian, by delivering a copy of the summons and petition personally to the individual or by leaving a copy of the summons and petition at the individual's dwelling house or usual place of abode with some person at least 18 years of age residing therein, or by delivering a copy of the summons and petition to an agent authorized by appointment or required by law to receive service of process; (2) On Guardian. On an infant or incompetent person who has a legally appointed guardian, by delivering a copy of the summons and petition to the guardian personally; (3) On Corporation, Partnership or Other Unincorporated Association. On a corporation, partnership or unincorporated association, by delivering a copy of the summons and petition to an officer, partner, or managing or general agent, or by leaving the copies at any business office of the defendant/respondent with the person having charge thereof or by delivering copies to its registered agent or to any other agent authorized by appointment or required by law to receive service of process; (4) On Public or Quasi-Public Corporation or Body. Upon a public, municipal, governmental or quasi-public corporation or body in the case of a county, to the mayor or city clerk or city attorney in the case of a city, to the chief executive officer in the case of any public, municipal, governmental, or quasi-public corporation or body or to any person otherwise lawfully so designated.

Service may be made by an officer or deputy authorized by law to serve process in civil actions within the state or territory where such service is made.

Service may be made in any state or territory of the United States. If served in a territory, substitute the word "territory" for the word "state."

The office making the service must swear an affidavit before the clerk, deputy clerk, or judge of the court of which the person is an officer or other person authorized to administer oaths. This affidavit must state the time, place, and manner of service, the official character of the affiant, and the affiant's authority to serve process in civil actions within the state or territory where service is made.

Service must be made less than 10 days nor more than 30 days from the date the defendant/respondent is to appear in court. The return should be made promptly, and in any event so that it will reach the Missouri court within 30 days after service.



IN THE CIRCUIT COURT OF GREENE COUNTY, MISSOURI

SEAL SMART, LLC,	)	
	)	
Plaintiff,	)	
vs.	)	Case No. 2231-CC01236
	)	
ECOWASH SYSTEMS, LLC,	)	
	)	
Defendant.	)	

**REQUEST FOR APPOINTMENT OF SPECIAL PROCESS SERVER**

**COMES NOW** Plaintiff, pursuant to Missouri Supreme Court Rule 54.01, and at its own risk requests the appointment of

**Name of Process Server:** Joey Danforah, Joey D Investigations,

**Address:** 1678 Montgomery Hwy #104, PMB-148, Hoover, Alabama 35216

**Telephone:** 877-978-7188

(A natural person of lawful age who is not a party to this action) to serve the summons and petition to Defendants in the cause. This appointment as special process server does not include the authorization to carry a concealed weapon in the performance of this duty.

**Appointed as Requested:**

Associate Court of Greene County

By \_\_\_\_\_  
Deputy Clerk

Requested by: /s/ Lee J. Viorel  
Lee J. Viorel  
Missouri Bar Number 36886  
901 St. Louis Street, 20th Floor  
Springfield, MO 65806  
Telephone: 417-866-7777  
Fax: 417-866-1752  
lviorel@lowtherjohnson.com  
Attorney for Plaintiff

Date: December 8, 2022

IN THE CIRCUIT COURT OF GREENE COUNTY, MISSOURI

SEAL SMART, LLC,	)	
	)	
Plaintiff,	)	
vs.	)	Case No. 2231-CC01236
	)	
ECOWASH SYSTEMS, LLC,	)	
	)	
Defendant.	)	

**ORDER APPOINTING SPECIAL PROCESS SERVER**

Upon motion of Plaintiff, and for good cause shown, it is hereby ORDERED that **Joey Danforah, Joey D Investigations**, may serve process as provided by the Clerk of this Court.

Date: \_\_\_\_\_

\_\_\_\_\_  
Judge/Clerk/Court Administrator

IN THE CIRCUIT COURT OF GREENE COUNTY, MISSOURI

SEAL SMART, LLC,	)	
	)	
Plaintiff,	)	
vs.	)	Case No. 2231-CC01236
	)	
ECOWASH SYSTEMS, LLC,	)	
	)	
Defendant.	)	

**ORDER APPOINTING SPECIAL PROCESS SERVER**

Upon motion of Plaintiff, and for good cause shown, it is hereby ORDERED that **Joey Danforah, Joey D Investigations**, may serve process as provided by the Clerk of this Court.

Date: 12/15/2022

/s/ Thomas R. Barr by mt  
Circuit Clerk




# IN THE 31ST JUDICIAL CIRCUIT, GREENE COUNTY, MISSOURI

Judge or Division: <b>JASON R BROWN</b>	Case Number: <b>2231-CC01236</b>
Plaintiff/Petitioner: <b>SEAL SMART, LLC</b>	Plaintiff's/Petitioner's Attorney/Address: <b>LEE JOHN VIOREL III</b> <b>901 ST LOUIS STREET 20TH FLR</b> <b>SPRINGFIELD, MO 65806</b>
Defendant/Respondent: <b>ECOWASH SYSTEMS, LLC</b>	Court Address: <b>JUDICIAL COURTS FACILITY</b> <b>1010 N BOONVILLE AVE</b> <b>SPRINGFIELD, MO 65802</b>
Nature of Suit: <b>CC Breach of Contract</b>	(Date File Stamp)

## Summons for Personal Service Outside the State of Missouri (Except Attachment Action)

The State of Missouri to: **ECOWASH SYSTEMS LLC**  
 Alias:  
**C/O RICHARD RUSHING JR**  
**905 BELCHER DRIVE**  
**PELHAM, AL 35124**

**COURT SEAL OF**  
  
**GREENE COUNTY**

You are summoned to appear before this court and to file your pleading to the petition, copy of which is attached, and to serve a copy of your pleading upon the attorney for the plaintiff/petitioner at the above address all within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to file your pleading, judgment by default will be taken against you for the relief demanded in this action.

**12/07/2022** **/s/ Thomas R Barr by dm**  
 Date Clerk

Further Information:

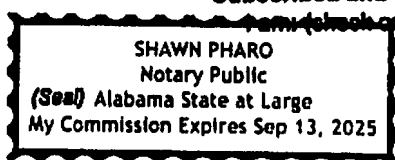
## Officer's or Server's Affidavit of Service

I certify that:

- I am authorized to serve process in civil actions within the state or territory where the above summons was served.
- My official title is Process Server of Shelby County, Alabama (state).
- I have served the above Summons by: (check one)
  - ☐ delivering a copy of the summons and petition to the defendant/respondent.
  - ☐ leaving a copy of the summons and petition at the dwelling house or usual place of abode of the defendant/respondent with \_\_\_\_\_, a person at least 18 years of age residing therein.
  - ☒ (for service on a corporation) delivering a copy of the summons and petition to Richard Rapag (name) owner/ Authorized Agent (title).
  - ☐ other: \_\_\_\_\_

Served at 905 Belcher Drive, Pelham, AL 35124 (address)  
 In Shelby County, Alabama (state), on 12-28-22 (date) at 11:30AM (time).

Joey Danforah  
 Printed Name of Sheriff or Server  
 Subscribed and sworn to before me this 29th (day) December (month) 2022 (year).



- (check one) ☐ the clerk of the court of which affiant is an officer.  
☐ the judge of the court of which affiant is an officer.  
☒ authorized to administer oaths in the state in which the affiant served the above summons. (use for out-of-state officer)  
☐ authorized to administer oaths. (use for court-appointed server)

Shawn Pharo, Notary Public  
 Signature and Title

### Service Fees

Summons \$ \_\_\_\_\_  
 Non Est \$ \_\_\_\_\_  
 Mileage \$ \_\_\_\_\_ ( \_\_\_\_\_ miles @ \$ \_\_\_\_\_ per mile)  
 Total \$ \_\_\_\_\_

See the following page for directions to officer making return on service of summons.




# IN THE 31ST JUDICIAL CIRCUIT, GREENE COUNTY, MISSOURI

Judge or Division: <b>JASON R BROWN</b>	Case Number: <b>2231-CC01236</b>
Plaintiff/Petitioner: <b>SEAL SMART, LLC</b>	Plaintiff's/Petitioner's Attorney/Address: <b>LEE JOHN VIOREL III</b> <b>901 ST LOUIS STREET 20TH FLR</b> <b>SPRINGFIELD, MO 65806</b>
Defendant/Respondent: <b>ECOWASH SYSTEMS, LLC</b>	Court Address: <b>JUDICIAL COURTS FACILITY</b> <b>1010 N BOONVILLE AVE</b> <b>SPRINGFIELD, MO 65802</b>
Nature of Suit: <b>CC Breach of Contract</b>	(Date File Stamp)

## Summons for Personal Service Outside the State of Missouri (Except Attachment Action)

The State of Missouri to: **ECOWASH SYSTEMS LLC**  
 Alias:  
**C/O RICHARD RUSHING JR**  
**905 BELCHER DRIVE**  
**PELHAM, AL 35124**

**COURT SEAL OF**  
  
**GREENE COUNTY**

You are summoned to appear before this court and to file your pleading to the petition, copy of which is attached, and to serve a copy of your pleading upon the attorney for the plaintiff/petitioner at the above address all within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to file your pleading, judgment by default will be taken against you for the relief demanded in this action.

**12/07/2022** **/s/ Thomas R Barr by dm**  
 Date Clerk

Further Information:

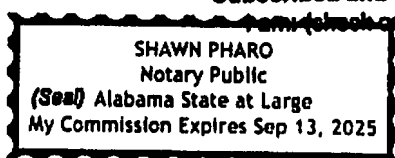
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  - ☒ (for service on a corporation) delivering a copy of the summons and petition to Richard Rapag (name) owner/ Authorized Agent (title).
  - ☐ other: \_\_\_\_\_

Served at 905 Belcher Drive, Pelham, AL 35124 (address)  
 In Shelby County, Alabama (state), on 12-28-22 (date) at 11:30AM (time).

Joey Danforah  
 Printed Name of Sheriff or Server  
 Subscribed and sworn to before me this 29th (day) December (month) 2022 (year).



- (check one) ☐ the clerk of the court of which affiant is an officer.  
☐ the judge of the court of which affiant is an officer.  
☒ authorized to administer oaths in the state in which the affiant served the above summons. (use for out-of-state officer)  
☐ authorized to administer oaths. (use for court-appointed server)

Shawn Pharo, Notary Public  
 Signature and Title

### Service Fees

Summons \$ \_\_\_\_\_  
 Non Est \$ \_\_\_\_\_  
 Mileage \$ \_\_\_\_\_ ( \_\_\_\_\_ miles @ \$ \_\_\_\_\_ per mile)  
 Total \$ \_\_\_\_\_

See the following page for directions to officer making return on service of summons.



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2231-CC01236 - SEAL SMART LLC V ECOWASH SYSTEMS, LLC (E-CASE)

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- 01/11/2023 ☐ **Judge Assigned**  
Cases to be transferred per Order of Presiding Judge Michael Cordonnier.
- 12/30/2022 ☐ **Corporation Served**  
Document ID - 22-SMOS-188; Served To - ECOWASH SYSTEMS, LLC; Server - ; Served Date - 28-DEC-22; Served Time - 00:00:00; Service Type - Special Process Server; Reason Description - Served; Service Text - SPS Joey Danforah; by leaving a copy with Richard Rapag, Owner/Authorized Agent/kj
- ☐ **Notice of Service**  
(Docketed 1/5/23 at 12:54 pm)  
**Filed By:** LEE JOHN VIOREL III  
**On Behalf Of:** SEAL SMART, LLC
- 12/15/2022 ☐ **Order - Special Process Server**  
(Docketed on 12/15/2022 at 8:52am) Order Appointing Special Process Server signed and filed./mt
- 12/08/2022 ☐ **Proposed Order Filed**  
(Docketed on 12/15/2022 at 8:52am) Plts Proposed Order Appointing Special Process Server./mt  
**Filed By:** LEE JOHN VIOREL III  
**On Behalf Of:** SEAL SMART, LLC
- ☐ **Motion Special Process Server**  
(Docketed on 12/15/2022 at 8:52am) Plts Request for Appointment of Special Process Server./mt  
**Filed By:** LEE JOHN VIOREL III
- 12/07/2022 ☐ **Summ Issd- Circ Pers Serv O/S**  
Document ID: 22-SMOS-188, for ECOWASH SYSTEMS, LLC. Summons saved and attached in PDF format for Attorney to retrieve from secure case.net./dm
- ☐ **Summons Issued-Circuit**  
Document ID: 22-SMCC-2582, for ECOWASH SYSTEMS, LLC. \*\*\*disregard entered in error/dm\*\*\*
- 12/01/2022 ☐ **Filing Info Sheet eFiling**  
**Filed By:** LEE JOHN VIOREL III
- ☐ **Note to Clerk eFiling**  
**Filed By:** LEE JOHN VIOREL III
- ☐ **Pet Filed in Circuit Ct**  
Plts Petition ; Exhibit A; Exhibit B/dm docketed on 12/07/2022 @ 1512  
**Filed By:** LEE JOHN VIOREL III

**On Behalf Of:** SEAL SMART, LLC

☐ **Judge Assigned**